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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 JOSEPH ANTONETTI, )  
10 Plaintiff, ) 3:11-cv-00548-LRH-WGC  
11 vs. )  
12 BARACK OBAMA, *et al.*, )  
13 Defendants. )  
14

**ORDER**

15 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state  
16 prisoner. Plaintiff has filed a motion for reconsideration (ECF No. 8) of the Magistrate Judge's  
17 order, entered November 3, 2011 (ECF No. 7).

18 The order of the Magistrate Judge noted that plaintiff's complaint exceeds 90 pages, in  
19 violation of Rule 2-1 of the Local Rules of Special Proceedings. The Magistrate Judge further found  
20 that much of the complaint is illegible and repetitious. The Magistrate Judge's order dismissed the  
21 complaint and granted plaintiff leave to file an amended complaint, having the Clerk's Office send  
22 plaintiff the proper civil rights complaint form and instructions for the same. (ECF No. 7).

23 Plaintiff's present motion for reconsideration is unconvincing. Plaintiff claims that he cannot  
24 articulate his claims in a briefer fashion than he did in his original complaint. Plaintiff notes that he  
25 has filed several civil actions in this Court. (ECF No. 8, at p. 3). Plaintiff complains that it is  
26 difficult for him to obtain paper and supplies. Ironically, at the same time, plaintiff requests leave to  
27 file an "enlarged complaint" exceeding the page limitation of Rule 2-1 of the Local Rules of Special  
28 Proceedings, when he files his amended complaint. (ECF No. 8, at pp. 1-5).

1        This Court finds that the Magistrate Judge's order of November 3, 2011, is not clearly  
2 erroneous or contrary to law. *See* 28 U.S.C. § 636(b)(1)(A). This Court agrees with the Magistrate  
3 Judge's ruling that the complaint is unduly lengthy at over 90 pages, is repetitious, and is illegible in  
4 part. In addition, much of the complaint fails to state a claim. For example, the first defendant  
5 named in the complaint is United States President Barack Obama. (Complaint, at p. 1). The  
6 President of the United States is absolutely immune from suit for damages for conduct that is part of  
7 the President's official duties. *Forrester v. White*, 484 U.S. 219, 225 (1988); *Fry v. Melarangno*,  
8 939 F.2d 832, 836 (9<sup>th</sup> Cir. 1991). It is just this type of frivolous claim that leads this Court to reject  
9 plaintiff's complaint in its current form.

10       The November 3, 2011 order of the Magistrate Judge is affirmed and plaintiff shall comply  
11 with all aspects of the order. Plaintiff's request to file an "enlarged" amended complaint exceeding  
12 the page limitation of Rule 2-1 of the Local Rules of Special Proceedings is denied. Plaintiff's  
13 failure to submit an amended complaint in compliance with the Magistrate Judge's order will result  
14 in dismissal of this entire action.

15       **IT IS THEREFORE ORDERED** that plaintiff's motion for reconsideration (ECF No. 8) of  
16 the Magistrate Judge's order is **DENIED**. The Magistrate Judge's order of November 3, 2011 is  
17 **AFFIRMED**.

18       **IT IS FURTHER ORDERED** that plaintiff's request to file an "enlarged" amended  
19 complaint exceeding the page limitation of Rule 2-1 of the Local Rules of Special Proceedings is  
20 **DENIED**.

21       **IT IS FURTHER ORDERED** that plaintiff shall file a legible amended complaint within **30**  
22 **days** that complies with Rule 2-1 of the Local Rules of Special Proceedings and the "Information  
23 and Instructions for Filing a Civil Rights Complaint."

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1           **IT IS FURTHER ORDERED** that failure to file an amended complaint in compliance with  
2 this order and the Magistrate Judge's order of November 3, 2011, will result in dismissal of this  
3 action.

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5           Dated this 29th day of November, 2011.

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8           LARRY R. HICKS  
9           UNITED STATES DISTRICT JUDGE

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